

XXVIII. GENERAL ASSEMBLY.

SENATE—MORNING SESSION.

MONDAY, Jan. 18.

Senator Price, on a question of privilege, stated that he had voted in the Democratic caucus for Phelps, for the nomination, for United States Senator, instead of Cockrell, as he was reported indirectly as doing by the St. Louis Republican.

Senator Ittner, on a question of privilege, had unanimous consent to record his vote in the negative on the Stay Law.

LOUISIANA AFFAIRS.

The special order being the report of the Minority on Louisiana Affairs was taken up, when,

Solved the previous question, which was sustained, when a vote was taken on the Minority report, which was lost. The question recurring on the Majority report it was adopted by a strictly party vote. The Senators voting in the negative were: Senators Ittner, McGinnis, Patterson, Paxton, Williams and Wyatt.

Senator Phelan, from Committee on Banks and Corporations, reported bill amending the Township Organization Law, which was referred to Committee on Township Organization.

Senator Strother, from the Committee on Judiciary, reported the substitute for House bill amending the law establishing the common pleas court, with probate jurisdiction was taken up and passed.

INTRODUCTION OF BILLS.

Senator Morrison introduced a bill appropriating money for pay of mileage of members and officers of the General Assembly. Pay of members of General Assembly, \$30,000; contingent expenses, \$10,000.

Passed.

Senator Mosby introduced a bill amending the act regulating the payment of military bonds, to correct a mistake in the bill regarding the amount to be paid J. W. Black.

Referred to Committee on Claims in order to enable amendments to be made to provide for payment of other bonds, etc.

Senator Rubey introduced a bill authorizing the Mason City Board of Education to fund its floating debt, and fund again its bonded debt.

Read and referred to Committee on Local Bills.

Senator McGinnis introduced a bill providing for the compensation of the reporter of evidence in the St. Louis criminal court.

Referred to the St. Louis Delegation.

Senator Terry introduced a bill amending the charter of St. Louis, regulating the duties of city marshal.

Referred to St. Louis Delegation.

Senate bill repealing the law regulating the registration of voters reported from the House with an amendment, was taken up, and the amendment, providing that the law take effect from and after its passage, a greed to.

Adjourned.

SENATE—AFTERNOON SESSION.

Mr. Strother from Committee on Judiciary, reported Bill concerning publication of judicial notices. Laid over informally.

Bill from same committee amending law providing for correction of mistakes in deeds given by husband and wife, made special order for Thursday at 2 p. m.

Mr. Terry, from Committee on Criminal Jurisprudence reported on Bill amending law concerning sale of liquor by druggists, which after debate, was recommended to Committee.

Mr. Biggs, from Committee on Elections reported favorably on Bill introduced by Mr. Phelan, providing that all election tickets shall be written on plain white paper, without heading or device, except that of plain heading of not more than three words expressive of political character of the same. Senators Strother and Rozier argued against the Bill. Senator thought it complete. The bill was finally referred to Committee on Criminal Jurisprudence.

Adjourned.

HOUSE—MORNING SESSION.

MONDAY, Jan. 18.

BILLS INTRODUCED.

Mr. Roeko, bill amending law defining boundary lines between Reynolds, Wayne and Carter counties.

Referred to Committee on County Boundaries.

Mr. Guthrie bill to repeal the law for protection of game, etc.

Referred to Committee on Agriculture.

Mr. Bohart, bill to amend school law concerning text-books.

The bill amends sections 42 and 43 of present school law. Under the present provisions, the commissioner, if the meeting provided fails to adopt a list, has no power to call another meeting. This bill empowers the commissioner to call a meeting within twenty days, at any time, and if said meeting fails to adopt a list of books, it makes it his duty to report a list himself, at once, to the boards of education, and to clerks of districts, which shall be the list to be used as above.

Referred to Committee on Education.

Mr. Overturf, bill to repeal act for the preservation of game, animals and birds.

Referred to Committee on Agriculture.

Mr. Folsom, bill to reorganize county court of Miller county, and to provide for the election of one justice of the peace, and provide for his term of office.

Referred to Committee on Local Bills.

Mr. Hudson, of Moniteau, bill amending charter of Tipton.

Referred to Committee on Local Bills.

Mr. Fryer, bill to amend law concerning courts of record.

Referred to Committee on Retrenchment and Reform.

Mr. Daudt, bill amending statute concerning oaths of judges elections.

Referred to Committee on Elections.

Mr. Hudson, bill to amend act for the preservation of game, birds and other animals. The bill extends time of killing quails so as to except from April 1st to August 15 and quits April 1 to Oct. 1.

Referred to Committee on Agriculture.

Mr. Humphreys, joint concurrent resolution regarding interest on deposits of public moneys.

Referred to Committee on Retrenchment and Reform.

Mr. Schoppenhorst, joint and concurrent resolution relating to county and corporate debts.

The resolution, after certain whereases, resolves that no resolution, bill or then ordinance be entertained by the 28th General Assembly of the State of Missouri, that will in any manner or form assume or in any way hold or make the State of Missouri responsible or liable for the indebtedness of any county or corporation which is not properly a debt contracted by the State.

The chair decided the resolution out of order, and the opinion of the chair was sustained by the House.

Mr. Shields called up Senate war claim memorial, which after debate was adopted. Resolution for rent of committee rooms lost.

Mr. Hawkins, from Committee on Retrenchment and Reform, reported substitute for resolution concerning adjournment. That when the 28th General Assembly adjourns it adjourns *sine die*.

Mr. Post opposed the resolution as being premature.

Mr. Hudson, of St. Louis, and Mr. O'Neil opposed action on the resolution now.

Mr. Bailey, of St. Louis, and Messrs. Reynolds, Morehead, Adkins, Hawkins, Wells, Phelps and Turner all spoke in favor of the resolution, which was adopted by a vote of 109 to 8.

Senate bill for appointment of judges elections after being amended and passed was reconsidered and sent back to committee.

Senate appropriation bill passed.

Mr. McClelland introduced bill changing time for annual meeting of Board of Agriculture to second Wednesday in February.

Mr. Redmond, Bill amending law concerning railroad crossings.

Referred to Committee on Roads and Highways.

Mr. Thatcher, Bill amending school law.

Referred to Committee on Education.

Mr. Chilton, Bill repealing law authorizing renewal bonds issued on the Hannibal and St. Jo R. R.

Adjourned.

HOUSE—AFTERNOON SESSION.

Mr. Cahill, Bill amending statute concerning dram shop keepers and their license.

Referred to Committee on Criminal Jurisprudence.

Mr. Hesse, Resolution that designating county boundaries on navigable streams, and established township and range lines shall be used as such lines.

Referred to Committee on County Boundaries.

Mr. Phelps, Resolution directing the Committee on Judiciary to report if in their judgment a bill fixing the time for a voter to reside in a county to be entitled to a vote at less than 60 days would be unconstitutional. Adopted.

Mr. Titman, Resolution to appoint a committee of five with the chairman of the Judiciary Committee for its chairman to inquire if suitable rooms can be obtained for the use of standing committees. Adopted.

Mr. Ireland, Resolution instructing Ways and Means Committee to inquire into legality of county courts rendering judgment against tracts of land in excess of owners of delinquent lands. Adopted.

Mr. Ford, Bill amending statute concerning railroad fare.

Referred to Committee on Banks and Corporations.

Mr. Stewart, Bill relating to tax 1874 in counties having adopted township organization.

Referred to Committee on Township Organization.

Humphreys, Bill providing remedy for illegal assessment of lands and collection of tax thereon.

Referred to Committee on Judiciary.

Mr. Schultz, Bill amending township organization law.

Referred to Committee on Township Organization.

Mr. Date, Bill to reorganize Cedar county court and increase the number of judges to 3, naming such justices.

Referred to Committee on Judiciary.

Mr. Dale, Bill to establish probate court in Cedar county.

Referred to Committee on Judiciary.

Mr. Slack, Bill to reorganize county court in Stoddard county and to restore to it probate jurisdiction.

Referred to Committee on Judiciary.

Bill to repeal game law.

Referred to committee on Agriculture.

Mr. Chilton, resolution instructing committee on Claims to inquire into justness of claims of old contractors of Penitentiary. Lost.

Senate substitute for House bill amending law establishing probate and common pleas court in Jasper county.

Agreed to and bill passed.

Adjourned.

SENATE—MORNING SESSION.

TUESDAY, January 19.

Senator McGinnis introduced a bill amending the general law respecting the estates of deceased persons. The bill is of considerable length, and makes several changes.

Referred to Committee on Judiciary.

Senator LaDue introduced a resolution instructing the Committee on Claims to inquire into the damages alleged to have been sustained by certain persons on account of the leasing of the Penitentiary, and to report bill covering the amount of damages found to be due.

Referred to Committee on Claims.

Senator Terry introduced a bill repealing so much of the law incorporating the town of New Franklin as authorizes the Missouri State Lottery, or the institution in St. Louis known as "Miller's Lottery."

Referred to Committee on Criminal Jurisprudence.

Senator Wright introduced a bill amending section 118 of the revenue law, providing that personal property shall be responsible for its own taxes, and not for taxes on real property.

Referred to Committee on Ways and Means.

U. S. SENATOR.

On motion of Senator Strother the members of the Senate proceeded to express their choice for U. S. Senator.

GEN. FRANCIS M. COCKRELL,

of Johnson county, was placed in nomination by Senator Strother, in a neat and complimentary speech.

Senator Perkins seconded the nomination.

Nominations being still in order,

HON. ISAAC C. PARKER,

of Buchanan county, was placed in nomination by Senator Williams.

SPEECH OF SENATOR WILLIAMS:

MR. PRESIDENT AND FELLOW-SENATORS:

I rise to discharge a duty which has been placed upon me by my Republican associates in this 28th General Assembly, to put in nomination before you for the high and responsible position of United States Senator from Missouri, a gentleman of our party, of acknowledged ability, of pure life and unspotted character; and I take great pride and pleasure in saying that from among the many gentlemen of distinguished public service in this State of both parties, who would be honored and rewarded by such an acknowledgment, I know of none more worthy than the lawyer, the jurist and the statesman upon whom our choice has fallen. I refer to the Hon. Isaac C. Parker, of St. Joseph. Judge Parker is well and favorably known to the people of Missouri. Although comparatively a young man, he has seen many years of public life; and his name is honorably identified with the progress and development of our great State. A lawyer of respectable attainments, of great industry and honesty of purpose, and deeply imbued with a love of his chosen profession, he, at an early age, obtained the confidence of the Great North West and was successively called to be the prosecuting officer, and judge of a large and populous circuit. In each of these positions he bore himself worthily and well. He preserved his judicial robes, without a stain, and held the scales of justice with an even and impartial hand. It is no mean praise to say of him that he performed the difficult and often delicate functions of his judicial office in such an impartial and able manner, that he was called before the expiration of the term for which he was chosen, to a more extended field of usefulness, and a broader arena of action, and transferred from his seat upon the bench, to a seat in the popular branch of the National Congress.

There, for the past four years, he has been a faithful, conscientious and efficient representative; looking beyond the lines which circumscribe the boundaries of his own district, rising above the obligations of his own party and working for the welfare and advancement of the interests of the whole State of Missouri and all her people. Nay more, he has been profoundly conscious of the fact and always borne it in mind, that he was one of the Representatives of a great nation, whose laws and institutions must be adapted to the wants and necessities of a widely and rapidly increasing people. The development of the mighty West, the improvement of our chief navigable rivers, the extension of the means and appliances of trans-continental transportation, and all other aims and efforts, which have for their object, through favorable legislation the increase of the wealth, the comfort, the convenience and the happiness of the people, have always found in Isaac Parker a warm friend, and a steadfast supporter.

Mistakes he may have made. Errors he doubtless committed. But, in the main, he has been a valuable and an honest public servant, who deserves well of his country. He is a Republican, tried in the storms and tempests of many turbulent and hotly contested political conflicts, and grounded so strong in the faith of the cardinal doctrines of the grand old party that "fire can not melt it out of him." Yet he has never permitted his fidelity to party, to swerve him from his convictions of right. He has honestly followed the dictates of his own judgment, and fearlessly dared to stand in opposition to his trusted and honored party leaders, whenever that judgment taught him they were acting and advising against what he conceived to be the paramount and overruling obligation of his country's well being. And sir, in this course he is but an exemplification of the highest and noblest spirit of Republicanism. He is a fair and prominent type of that large class of our people, who have moulded the character and guided the fortunes of the Republican party, and through that agency, of the great Republic itself for the past fourteen years of the nation's life. Sir, it is the glory and boast of the Republican party,

that it had its birth, and development in the profound and ever present conviction of the common sense and sober judgment of the American people, that unlimited freedom of individual thought and speech, and untrammelled freedom of individual action were the great objects and the high aims of our free institutions, strengthening with their strength and growing with growth, and that without these, Republican liberty was but another name for the tyranny of the many over the few.

And sir, it is a matter of honest and hopeful pride as well as of deep and abiding thankfulness, that in spite of the errors and of the failures which have attended and marked some of the most important measures, inaugurated by that party, and incorporated in the public policy of the country, the grand results of Republican dominations will forever remain in the removal of the landmarks which heretofore had circumscribed the limits of human freedom, and in the extension of the area where that freedom could have its fullest development and its highest growth. As the honored representative of these principles of our party; as a public servant who has never betrayed them; as a prudent statesman who will by his action never endanger, but sacredly guard and preserve them inviolate in the complex and coningled agencies of the form of government under which so many blessings have been secured to our common and beloved country, the Republicans of Missouri confidently present the name of the Hon. Isaac C. Parker as their choice for the highest office within the gift of the people of the State.

Sir, it would ill become me to say one word of disparage or disparagement of the distinguished gentleman who has received the substantial compliment of a Democratic nomination. Gen. Cockrell is a man whom I admire and respect. I regard him as honest and honorable, sincere in his convictions and conservative in his views. I do believe he will not cast shame or disgrace upon his own good name, nor ever tarnish the honor of our proud State. But, while freely saying these things in his behalf, and bearing this willing tribute to a pure and courteous gentleman, a gallant soldier and an able and honest son of Missouri, in which, sir, I am pleased to think all Republicans who know him will join, yet, we may be pardoned if we prefer to follow our convictions, and express our sentiments by voting for the man of our own choice, and the representative of the ideas of our own party.

Nominations being closed, the Senate proceeded to vote with the following result: Francis M. Cockrell, 28; Isaac C. Parker, 6.

Gen. Cockrell was declared the choice of the Senate for United States Senator.

Senator Belch, from the committee to examine the State officers, submitted report, which was ordered printed.

Senator Belch introduced bill abolishing office of Commissioner of College Lands, and conferring the duties of the office on the Register of Lands.

Referred to Committee on Mines and Mining.

Senator Belch introduced a bill to provide for the proper report of all school lands to the office of Register of Lands.

Senator Williams introduced a bill to provide for the redemption of lands sold under mortgage, execution, deeds of trust, etc.

Referred to Committee on Judiciary.

Senator Thompson offered resolution instructing Penitentiary Committee to inquire into validity of Lessees' Bond.

Resolution was adopted instructing Secretary of State to print and furnish copies of the Stay Law to each collector of the State.

Adjourned till 10 o'clock to-morrow morning.

HOUSE—MORNING SESSION.

TUESDAY, Jan. 18.

PETITIONS.

Mr. Thatcher, petition of citizens of Pettis county asking for change of law concerning payment of taxes so as not to make the same compulsory before April 1st, each year.

Referred to Committee on Ways and Means.

Mr. Bradley, petition of Bates county citizens to same effect.

RESOLUTIONS OFFERED.

Mr. Bryant, resolution instructing Enrolling Clerk to employ such assistance as he deems necessary.

Lost.

Mr. McClelland, resolution that the wool growing interests of the State demand encouragement, and that the Committee on Agriculture be instructed to report a bill imposing a tax on dogs.

Referred to Committee on Agriculture.

Mr. Hudson, of Moniteau, resolution that Committee on Accounts be instructed to inquire whether this House is indebted to C. W. Combs for service rendered as Minute Clerk in the organization of the House, in the sum of \$50 or any other sum.

CONCURRENT RESOLUTIONS.

Mr. Guthrie, that 28th General Assembly adjourn *sine die* on Monday, February 1, 1875.

Laid on the table by a vote of 43 yeas to 69 ayes.

Mr. O'Neil, that Committee on Penitentiary investigate the causes of the recent revolt in the Penitentiary, its general management and condition, and that they have power to administer oaths, send for papers, etc.

Adopted.

Mr. Hudson, of St. Louis, joint resolution concerning improvement of the

mouth of the Mississippi river, favoring the Eads plan and instructing members of Congress from Missouri to advocate passage of bill providing for same.

Passed.

Mr. Reynolds moved to take from the table the King Kalakaula resolutions.

Agreed to by a vote of 71 to 20.

The resolutions were referred to special committee, Messrs. Martin and Reynolds.

BILLS INTRODUCED.

Mr. O'Neil, bill amending landlord and tenant law so as to prove verbal contract for 6 months, lease and amend law concerning notices by tenants.

Referred to Committee on Judiciary.

Mr. Phelps, bill to protect miners and encourage mining. Ordered printed.

Referred to Committee on Judiciary.

Mr. Cahill, bill amending revenue law. Referred to Committee on Ways and Means.

Mr. Folsom, bill amending revenue law. Referred to Committee on Ways and Means.

Mr. Addins, bill amending law concerning clerks of courts of record.

Referred to Committee on Retrenchment and Reform.

Mr. Slack bill amending act for the preservation of game.

Referred to Committee on Agriculture.

Mr. Roeko, bill amending law concerning the punishment for giving or receiving money, etc., for electioneering purposes.

Referred to Committee on Criminal Jurisprudence.

Mr. Wells, bill repealing sec. 51, article 2 of statute authorizing subscription to railroads.

Referred to Committee on Banks and Corporations.

Mr. Ireland, bill amending charter of Chillicothe.

Referred to Committee on Local Bills.

Mr. McCullough, bill amending law concerning roads and highways.

Referred to Committee on Roads and Highways.

Mr. Hathaway, bill concerning act of Congress of June 6th, 1874—land patents.

Referred to Committee on Judiciary.

Mr. Berry, bill repealing law providing for county attorneys.

Referred to Committee on Judiciary.

Mr. Haley, bill in relation to public school fund arising from sale of the 16th section.

Referred to Committee on Judiciary.

Mr. Jones, of Callaway, bill to audit and adjust the war debt of the State. Ordered printed.

Referred to Committee on Federal Relations.

Mr. Snyder, bill amending law concerning probate court of Dade county.

Referred to Committee on Judiciary.

Mr. Berry, bill to repeal game law.

Referred to Committee on Agriculture.

Mr. Frost, bill amending statute concerning

Referred to Committee on Judiciary.

Mr. Wade, bill to prevent citizens of other States from killing game in this State.

Referred to Committee on Agriculture.

Mr. Carter, bill amending law concerning law library, so as to keep the same open from 9 a. m. till 5 p. m., and from 7 to 10 p. m. for exclusive use of Judiciary Committee of each house.

Passed.

Mr. Ireland, bill relating to insurance, requiring insurance companies insuring on installment or note plan to pay full amount insured where loss occurs.

Mr. Martin, from special committee on King Kalakaula, reported substitute tendering that gentleman an invitation to visit the Legislature.

Ordered to engrossment.

Mr. King, from special committee appointed by Governor, made report concerning Auditor's, Treasurer's and Register's offices, which was ordered printed.

Mr. Jones, from Committee on Federal Relations, reported favorably on resolutions protesting against passage of bill pending in Congress, authorizing the enforcement of judgments of U. S. courts against counties by U. S. marshals.

Made special order for 2 p. m. to-morrow.

Bill requiring railroads to macadamize all crossing of road and highway, reported favorably by committee and passed.

The special order being vote for U. S. Senator.

Hon. Stilson Hutchins nominated Francis Marion Cockrell, of Johnson county, as the democratic nominee.

Joe L. Bittenger nominated Hon. Isaac Parker, of Buchanan county as the Republican candidate.